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Congress of the United States
House of Representatives
Washington, DC 20515-2107
November 19, 2003

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Admiral James Loy
Administrator
Transportation Security Administration
400 7th Street, SW
Washington, D.C. 20590

Dear Admiral Loy:

The discovery of prohibited items placed aboard Southwest Airlines flights by a 20-year-old college student raises disturbing new questions about the nature and adequacy of airport security measures in place at passenger checkpoints. These recent security breaches also highlight the need for a thorough and comprehensive examination of the policies and practices for pre-flight inspection of passenger cabins and lavatories of commercial aircraft. As you know, in the case of items hidden aboard Southwest Airlines flights by Nathaniel Heatwole, news reports indicate that personnel responsible for complying with pre-flight inspection requirements failed for several months to detect the box cutters, simulated explosives and other dangerous items stashed in the airplane lavatories.

In a separate incident, knives and box cutters recently were found on two commuter planes, one traveling from Rockland, Maine to Boston, Massachusetts, and the other traveling from Houston, Texas to Philadelphia, Pennsylvania. While it presently is unknown how these proscribed items entered the passenger compartments of the commuter planes, it is clear that a top-to-bottom review of the adequacy of federal pre-flight inspection policies, and the degree to which these policies are followed by commercial air carriers, is urgently needed. Accordingly, I am writing to request that the Transportation Security Administration (TSA) respond to questions concerning this important aviation security matter. I understand that information about federal airline security requirements may be sensitive. Please provide responses at an unclassified level, if possible, and note which information must be classified so that appropriate arrangements can be made to convey classified information, if necessary.

1. Inspection Processes

- (A) How often are security inspections conducted of the interior of commercial passenger aircraft within the fleets of the major U.S.- based carriers (i.e., AirTran Airways, Alaska Airlines, America West Airlines, American Airlines, Continental Airlines, Delta Airlines, JetBlue Airlines, Northwest Airlines, Southwest Airlines, United Airlines, US Airways)?
- (B) Which entity (e.g., commercial airlines, TSA, private contractor, etc.) is responsible for conducting inspections at each of these airlines? If TSA is not responsible for

conducting the inspections, how often do TSA officials supervise or otherwise ensure that inspections are being carried out in accordance with federal requirements at each of these airlines?

- (C) When are the commercial aircraft in each of the fleets in (A) above inspected?
- (D) What is the process for reporting prohibited items that are discovered as a result of security inspections? Are each of the carriers referenced in (A) above responsible for reporting to federal authorities whenever prohibited items are found aboard their aircraft as a result of pre-flight inspections? If no, under what circumstances are carriers permitted to withhold such information from authorities?
- (E) Which federal entity is responsible for the receipt of these reports? If TSA is the federal authority responsible for receipt of these reports, please provide copies of the reports submitted by Southwest Airlines after the discovery of prohibited items that Nathaniel Heatwole placed aboard the following Southwest flights: Flight 474 (en route to New Orleans, LA; items discovered on October 16, 2003); Flight 578 (items discovered in Houston, TX on October 16, 2003). If reports were not submitted for these flights, why not?
- (F) Where and how is documentation of completed security inspections retained? How many pre-flight inspection reports of prohibited items aboard commercial passenger planes has TSA, or the appropriate federal authority, received between February 2002, when TSA took responsibility for security at airports, and November 1, 2003? In each instance when TSA received reports of prohibited items, what actions did TSA take to address the issue and prevent a recurrence?

2. Federal Guidance

- (A) What specific federal guidance determines the procedures that must be followed during these inspections?
- (B) What actions (e.g., opening and viewing the interior of all overhead bins, checking lavatories) are required to comply with this guidance?
- (C) How is compliance with these guidelines verified, who is responsible for this verification process, and how often is verification performed?
- (D) If TSA is responsible for the verification process, please list the number of visits that TSA has made to each of the commercial carriers in 1(A) above for purposes of ensuring compliance with pre-flight inspection requirements between February 2002 and November 1, 2003.

3. Carrier Compliance

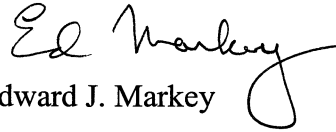
- (A) How many instances of carrier non-compliance with federal pre-flight inspection guidelines has TSA uncovered since assuming responsibility for airport security in February 2002?
- (B) Did Southwest Airlines' failure to find prohibited items placed aboard its aircraft by Mr. Heatwole constitute a violation of federal guidelines for pre-flight inspections? If yes, what actions has TSA taken in response to the violations? If no, why not?
- (C) Please rank the carriers referenced in 1(A) above in order of the number of violations of federal pre-flight inspection guidelines, starting with the carrier with the greatest number of violations.

4. Training

- (A) Please describe the training that personnel receive in order to perform pre-flight inspections.
- (B) Please describe the training that personnel receive in order to perform the verification process for pre-flight inspections.

I appreciate TSA's cooperation with this request for information. If you have any questions regarding this request, please have a member of your staff contact Mr. Mark Bayer of my staff at 202-225-2836. Please provide responses within 15 business days, or no later than December 10, 2003.

Sincerely,

A handwritten signature in cursive script that reads "Ed Markey". The signature is written in dark ink and is positioned above the printed name.

Edward J. Markey